

REMARKS

With respect first to the drawings, the two replacements sheets of drawings are believed to correct the objections listed by the Examiner. The reference numeral 13 now appears in FIGS. 2, 3, and 4 of the substitute drawings. Page 5 of the specification has been amended accordingly to refer to "retainers 12a", and FIG. 4 is so changed.

The objection from the standpoint of informality to line 3 of claim 10 has been cured by amendment.

Rejection of claim 11 and the claims dependent thereupon under 35 U.S.C. §112, second paragraph, has been obviated by amendment to eliminate the objectionable clause.

The indication of the allowability of claims 2-5 and 9-10 as well as claims 18-19 is acknowledged. The subject matter of claim 2 has been incorporated into claim 1, and claim 2 has been canceled. It is believed that amended claim 1 and dependent claims 3-10 should now be allowed.

It is submitted that amended claim 11 defines an invention that would not be anticipated by the disclosure of U.S. Patent No. 6,676,224 to Kogure et al., and particularly by what is shown in FIGS. 2b, 4a, and 4b. Kogure et al. disclose the use of an auxiliary plate that would be attached to the circular rim of a wheel assembly, which plate on its interior surface would carry a track that is aligned radially to the axis of the wheel. A balance weight is then positioned at a desired location along the track between the axis and the outer circumference of this plate (where it is hidden from view); it is appropriately positioned so as to balance the wheel with the tire installed. The weight might be secured in the desired radial location by double-faced adhesive tape or by a screw or the like. The circular plate might be molded of polymeric resin; however, it is there that any similarity ends.

Applicant's balance weight assembly is attached about a flange edge portion of a vehicle wheel rim, not to the inner surface of a circular plate 7 such as used Kogure et al. Amended claim 11 now specifically states that the assembly comprises a clip portion having a cross-sectional shape corresponding to a flange edge portion of a wheel rim so as to fit about said flange edge to lie in contact with an inner surface of said flange against which a vehicle tire

Amendment and Response
Application No. 10/600,579
Page 8

seats. It is submitted that this recitation clearly distinguishes from the incidental disclosure of Kogure et al. Claims 12-20 are dependent upon claim 11 and thus submitted to be allowable as dependent claims.

In the absence of more pertinent prior art, it is believed that claims 1 and 3-20 should be allowed, and allowance thereof is respectfully requested. It is believed that the application has been placed in condition for allowance and favorable action is courteously solicited.

It is noted that a paper was earlier filed requesting the change of the correspondence address to read as follows:

Joseph Sery
5848 Meadows Del Mar
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However, the Office Action was mailed to my original address. The Examiner's assistance in effecting the change of the correspondence address is respectfully requested.

Respectfully submitted,

Dated: July, 2004

By: 

Joseph Sery

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